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HOUSE BILL 674

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

ANNA MARIE CROOK

AN ACT

RELATING TO LAW ENFORCEMENT; PROVIDING FOR THE COMMISSIONING OF  
LAW ENFORCEMENT ACADEMY PERSONNEL AS PEACE OFFICERS; REMOVING A  
DEFINITION OF COMMISSIONED.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 29-7-5 NMSA 1978 (being Laws 1969,  
Chapter 264, Section 7, as amended) is amended to read:

"29-7-5. POWERS AND DUTIES OF THE DIRECTOR. --

A. The director shall:

~~[A.]~~ (1) be the chief executive officer of the  
academy and employ necessary personnel;

~~[B.]~~ (2) issue a certificate of completion to  
any person who graduates from an approved basic law enforcement  
training program and who satisfies the qualifications for  
certification as set forth in Section 29-7-6 NMSA 1978;

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1                   [~~C.~~] (3) perform all other acts necessary and  
2 appropriate to the carrying out of his duties;

3                   [~~D.~~] (4) act as executive secretary to the  
4 board;

5                   [~~E.~~] (5) carry out the policy as set by the  
6 board; and

7                   [~~F.~~] (6) annually evaluate the courses of  
8 instruction being offered by the academy and make necessary  
9 modifications and adjustments to the programs.

10                   B. The director and appropriate employees may be  
11 commissioned as peace officers in the performance of their  
12 duties."

13                   Section 2. Section 29-7-7 NMSA 1978 (being Laws 1981,  
14 Chapter 114, Section 6, as amended) is amended to read:

15                   "29-7-7. DEFINITIONS. --For the purpose of the Law  
16 Enforcement Training Act:

17                   A. "academy" means the New Mexico law enforcement  
18 academy;

19                   B. "basic law enforcement training" means a course  
20 consisting of not less than four hundred hours of instruction in  
21 basic law enforcement training as required by the Law  
22 Enforcement Training Act;

23                   C. "board" means the New Mexico law enforcement  
24 academy board;

25                   D. "conviction" means an adjudication of guilt or a

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1 plea of no contest and includes convictions that are suspended  
2 or deferred;

3 E. "director" means the director of the academy;

4 F. "in-service law enforcement training" means a  
5 course of instruction required of all certified peace officers  
6 designed to train and equip all police officers in the state  
7 with specific law enforcement skills and to ensure the  
8 continuing development of all police officers in the state. The  
9 training and instruction shall be kept current and may be  
10 conducted on a regional basis at the discretion of the director;

11 G. "police officer" means any commissioned employee  
12 of a law enforcement agency that is part of or administered by  
13 the state or any political subdivision of the state and which  
14 employee is responsible for the prevention and detection of  
15 crime or the enforcement of the penal or traffic or highway laws  
16 of this state. The term specifically includes deputy sheriffs.  
17 Sheriffs are eligible to attend the academy and are eligible to  
18 receive certification as provided in the Law Enforcement  
19 Training Act [~~As used in this subsection, "commissioned" means~~  
20 ~~an employee of a law enforcement agency who is authorized by a~~  
21 ~~sheriff or chief of police to apprehend, arrest and bring before~~  
22 ~~the court all violators within the state]; and~~

23 H. "certified regional law enforcement training  
24 facility" means a law enforcement training facility within the  
25 state certified by the director, with the approval of the

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1 academy's board of directors, that offers basic law enforcement  
2 training and in-service law enforcement training that is  
3 comparable to or exceeds the standards of the programs of the  
4 academy. "

5 Section 3. EFFECTIVE DATE. -- The effective date of the  
6 provisions of the provisions of this act is July 1, 1997.

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